

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
OLSHAN FROME WOLOSKY LLP,

Plaintiff,

-against-

PANTHEON ENVIRONMENTAL, LLC a/k/a
PANTHEON ENVIRONMENTAL, INC.,
ALBERT McLELLAND, GENTRY BEACH,
ELIZABETH SCHICK and ERIC SCHICK,

Defendants.

ANALISA TORRES, District Judge:

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20 Civ. 2415 (AT)

ORDER

Plaintiff, Olshan Frome Wolosky LLP (“Olshan”), brings this action against Pantheon Environmental, LLC, a/k/a Pantheon Environmental, Inc. (“Pantheon”), Albert McLelland, Gentry Beach, Elizabeth Schick, and Eric Schick, invoking subject matter jurisdiction by reason of diversity of citizenship, 28 U.S.C. § 1332. Because Olshan is a limited liability partnership, the complaint must allege the citizenship of each of its general and limited partners for the purposes of diversity jurisdiction. *See Handelsman v. Bedford Vill. Assocs. Ltd. P’ship*, 213 F.3d 48, 51–53 (2d Cir. 2000); *Monitronics Funding LP v. Pinnacle Sec., LLC*, No. 12 Civ. 1992, 2012 WL 967623 at *1 (S.D.N.Y. Mar. 21, 2012) (“A limited liability partnership has the citizenship of each of its general and limited partners for the purposes of diversity jurisdiction.”).

Moreover, if Pantheon is indeed a limited liability company, then the complaint must allege the citizenship of natural persons who are members of the limited liability company and the place of incorporation and principal place of business of any corporate entities who are members of the limited liability company. *See Handelsman*, 213 F.3d at 51–52 (2d Cir. 2000) (citing *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998)); *Strother v. Harte*, 171 F. Supp. 2d 203, 205 (S.D.N.Y. 2001) (“For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members.”).

Accordingly, it is ORDERED that by **April 3, 2020**, Plaintiff shall amend its pleading to allege (1) the citizenship of each of its general and limited partners and (2) the citizenship of each of Pantheon’s constituent persons or entities. Failure to do so may result in dismissal of the complaint for lack of subject matter jurisdiction.

SO ORDERED.

Dated: March 23, 2020
New York, New York



ANALISA TORRES
United States District Judge